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April 24, 2001

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**BY HAND DELIVERY**

Magalie R. Salas, Esquire

Secretary

Federal Communications Commission

Room TW-B204

445 12<sup>th</sup> Street, S.W.

Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Amendment of Section 73.606(b)  
TV Table of Allotments, TV Broadcast Stations  
(Oshkosh, Wisconsin)

Dear Ms. Salas:

Transmitted herewith on behalf of Oshkosh 22, L.L.C. are an original and four copies of its "Request to Dismiss Petition for Rulemaking," filed in the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate directly with the undersigned.

Very truly yours,

DICKSTEIN SHAPIRO MORIN  
& OSHINSKY LLP

Andrew S. Kersting  
Counsel for  
Oshkosh 22, L.L.C.

Enclosure

cc: Certificate of Service (w/ encl.) (by hand)  
Mr. Gordon Godfrey (FCC) (by hand)

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Amendment of Section 73.606(b) )  
TV Table of Allotments )  
TV Broadcast Stations )  
(Oshkosh, Wisconsin) )

MM Docket No. \_\_\_\_\_  
RM No. \_\_\_\_\_

To: Chief, Video Services Division

**REQUEST TO DISMISS**  
**PETITION FOR RULEMAKING**

Oshkosh 22, L.L.C. ("Oshkosh 22"), by counsel, and pursuant to Section 1.420(j) of the Commission's rules, hereby requests the dismissal of its Petition for Rulemaking, filed July 12, 2000, which seeks to substitute Channel 50 for the existing Channel 22 allotment at Oshkosh, Wisconsin. In support of this request, the following is stated:

On September 20, 1996, Oshkosh 22 filed an application for a new NTSC station to operate on Channel 22 at Oshkosh, Wisconsin (File No. BPCT-19960920YL). As a result of the digital allotments made in the DTV Table of Allotments (47 C.F.R. §73.622(b)), the analog Channel 22 allotment at Oshkosh is no longer available for use. Accordingly, on July 12, 2000, Oshkosh 22 filed a Petition for Rulemaking requesting the substitution of Channel 50 for the existing Channel 22 allotment at Oshkosh.

Oshkosh 22 is no longer interested in applying for, constructing, or operating a new television station on Channel 50 at Oshkosh, Wisconsin. Therefore, Oshkosh 22 requests that its pending Petition for Rulemaking requesting the allotment of Channel 50 at Oshkosh be dismissed with prejudice. Oshkosh 22 understands that, as a result of the

dismissal of its rulemaking petition, its above-referenced application for a new television station to operate on Channel 22 at Oshkosh, Wisconsin, will be dismissed.

Attached hereto is a declaration by Mark Leitch, the Manager and sole member of Oshkosh 22, stating that neither he nor Oshkosh 22 has received or will receive any consideration in return for the dismissal of Oshkosh 22's pending rulemaking petition.

WHEREFORE, in light of the foregoing, Oshkosh 22, L.L.C. respectfully requests that its pending Petition for Rulemaking requesting the substitution of Channel 50 for the existing Channel 22 allotment at Oshkosh, Wisconsin, be dismissed with prejudice.

Respectfully submitted,

Dickstein Shapiro Morin & Oshinsky LLP  
2101 L Street, N.W.  
Washington, DC 20037-1526  
(202) 785-9700

Attorneys for

OSHKOSH 22, L.L.C.

By:   
Andrew S. Kersting

April 24, 2001

**DECLARATION OF MARK LEITCH**

I, Mark Leitch, hereby declare and state the following:


1. I am the Manager and sole member of Oshkosh 22, L.L.C. ("Oshkosh 22"), applicant for a new television station to operate on Channel 22 at Oshkosh, Wisconsin (File No. BPCT-19960920YL). On July 12, 2000, Oshkosh 22 filed a Petition for Rulemaking requesting that the FCC substitute Channel 50 for the existing Channel 22 allotment at Oshkosh, Wisconsin.

2. In accordance with Section 1.420(j) of the Commission's rules, Oshkosh 22 requests that its pending rulemaking petition be dismissed. I understand that as a result of the dismissal of Oshkosh 22's rulemaking petition, the above-referenced application for a new television station to operate on Channel 22 at Oshkosh also will be dismissed because Channel 22 is no longer available due to the DTV Table of Allotments.

3. Neither I nor Oshkosh 22 has received or will receive any money or other consideration in connection with the dismissal of Oshkosh 22's Petition for Rulemaking.

I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief.

Signed and dated this 23 day of April, 2001.

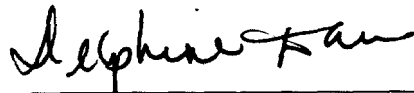
  
Mark Leitch  
Manager

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24th day of April, 2001, a copy of the foregoing REQUEST TO DISMISS PETITION FOR RULEMAKING was hand delivered to the following:

Mr. Roy J. Stewart  
Chief, Mass Media Bureau  
Federal Communications Commission  
The Portals II, Room 2-C347  
445 Twelfth Street, S.W.  
Washington, DC 20554

Barbara Kreisman  
Chief, Video Services Division  
Mass Media Bureau  
Federal Communications Commission  
The Portals II, Room 2-A666  
445 Twelfth Street, S.W.  
Washington, DC 20554



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Delphine Davis